



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Grant Yates, City Manager

Prepared by: Damaris Abraham, Senior Planner

Date: June 11, 2019

Subject: **Design Review for Planning Application No. 2017-28 (Silverleaf Motors)** – An automobile dealership facility with a 3,266 sq. ft. two-story building and a variance request to encroach into the front and rear yard setbacks due to site constraints.

Applicant: Danny Brose, Auto Center & Mill, LLC

Recommendation

adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FINDING THAT PLANNING APPLICATION NO. 2017-28 (CONDITIONAL USE PERMIT NO. 2017-05, COMMERCIAL DESIGN REVIEW NO. 2017-05, AND VARIANCE NO. 2017-03) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP); and,

adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2017-05 TO ESTABLISH A 3,266 SQUARE FOOT AUTOMOBILE DEALERSHIP FACILITY LOCATED AT APNS: 363-112-025, 026, AND 031; and,

adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING COMMERCIAL DESIGN REVIEW NO. 2017-05 PROVIDING BUILDING DESIGN AND RELATED IMPROVEMENTS FOR A 3,266 SQUARE FOOT AUTOMOBILE DEALERSHIP FACILITY LOCATED AT APNS: 363-112-025, 026, AND 031; and,

adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING VARIANCE NO. 2017-03 FOR THE 3,266 SQUARE FOOT BUILDING TO ENCROACH INTO THE REQUIRED FRONT AND REAR YARD SETBACKS DUE TO SITE CONSTRAINTS.

Background

Community Outreach

On February 16, 2019, the applicant held a community meeting to provide information to the surrounding neighbors regarding the proposed Project. According to the applicant, approximately 45-50 neighbors attended the meeting. The applicant also stated that the meeting was positive and the neighbors were supportive of the proposed Project. Two neighbors asked

about the color of the Split Face Block to be used on the Building. The applicant agreed to provide color sample and get the neighbors concurrence (See attached Exhibit J).

Planning Commission Hearing

The Project was initially heard by the Planning Commission on May 7, 2019 but was continued to the May 21, 2019 hearing in order to allow staff and the applicant additional time to address questions the applicant had on some of the Conditions of Approval recommended for this Project. Staff met with the applicant on May 13, 2019, and the Conditions of Approval have been updated as necessary to address the applicant's concerns.

In addition, to address some of the concerns raised by the neighbors the applicant has agreed to the following additional features to provide additional screening and to mitigate the Project's visual impact to the surrounding homes (COA No. 22):

1. In order to provide additional screening for the surrounding homes, a minimum 5'-0" vinyl fencing shall be provided along the portion of fencing facing Avenue 10 where the rear of the building faces the wall.
2. The rear of the building shall also utilize "Split-Face Block Wall" (Color & Material #4) to match the front of the building. The "Split-Face Block Accent Row" (Color & Material #10) shall be widened to improve the look of the rear of the building.
3. Fast growing Vines shall be planted along the rear of the building visible from the street. In addition, the perimeter screen trees along the residential property lines shall be a minimum of 24" box in size.

In order to address the concerns related to parking and traffic, the Project has also been conditioned to prevent loading or off-loading of vehicles from occurring on Auto Center Drive (COA No. 20). In addition, per COA No. 79 the Project is required to submit a sight distance analysis prior to building permit issuance to the Engineering Division for review and approval to ensure that there are no visibility issues. The Project is also required to provide street improvement plans (COA Nos. 96 and 97) which may include, but not limited to, a requirement for a "No Stopping Anytime" sign along the Project's frontage.

On May 21, 2019, the Planning Commission unanimously recommended approval of the Project by a vote of 4-0.

Discussion

Project Description and Location

The Silverleaf Motors project (Project) consists of applications for a Conditional Use Permit (CUP No. 2017-05), a Commercial Design Review (CDR No. 2017-05), and a Variance (VAR No. 2017-03) which collectively are being processed under Planning Application No. 2017-28. The Project site is located at the northwesterly corner of Auto Center Drive and Mill Street (APNs: 363-112-025, 026, and 031).

Conditional Use Permit No. 2017-05 and Commercial Design Review No. 2017-05 are proposing to establish a new automobile dealership facility that involves the construction of a 3,266 sq. ft. two-story building and 118 total parking spaces. The first floor will include four (4)

offices, a showroom, and customer waiting area and will be 2,447 sq. ft. in size. The second floor will be 819 sq. ft. in size and will have four (4) storage rooms, a balcony, and an open area. The Project will provide 118 total parking spaces for sales, employees, and visitors. The facility will have about (5) employees associated with the operation of the business and will be open seven (7) days a week. Monday through Saturday hours will be 9:00 AM – 9:00 PM, and Sunday hours will be 10:00 AM – 7:00 PM.

Variance No. 2017-03 is a request to encroach into the required 20 ft. front yard setback and the required 15 ft. rear yard setback for the proposed building due to site constraints.

Architecture and Treatments

The main building will incorporate a *Contemporary Architectural Style* with split-face brick wall construction. The design will include the use of wall offsets and recessed entries, multiple parapet heights, and decorative cornice treatments. Aluminum storefront windows with reflective glazing will be utilized on the building to create a uniform appearance.

Landscaping and Fencing

The proposed Project will provide landscaping to complement the architectural style of the proposed buildings. Trees, shrubs, and ground cover will be located in the perimeter landscaping areas provide effective screening of the Project. Additionally, the Project will provide perimeter screen trees to provide additional buffer for the adjacent residential properties.

The Project will also provide a 5'-0" high vinyl fence along the Project's westerly boundary adjacent to the residential properties. Due to the site's varying topography, the Project is proposing retaining walls at the Project's westerly boundary.

Site Access

Access to the Project site will be primarily provided by a vehicular driveway on Auto Center Drive and Mill Street. To improve site circulation, the driveway approaches will be restricted to one-way in and one-way out.

Environmental Setting

	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Vacant	General Commercial (GC)	General Commercial (C-2)
North	Auto Dealership	General Commercial (GC)	General Commercial (C-2)
South	Residential	Medium Density Residential	Single-Family Residential (R-1)
East	Apartments	General Commercial (GC)	General Commercial (C-2)
West	Residential	Medium Density Residential	Medium Density Residential (R-2)

Table 1: Environmental Setting

Analysis

General Plan Consistency

The Project has a General Plan Land Use designation of General Commercial (GC) and is located within the Riverview District. The GC Land Use designation provides for retail, services, restaurants, professional and administrative offices, hotels and motels, mixed-use projects, public and quasi-public uses, and similar and compatible uses with a maximum 0.40 Floor Area Ratio (FAR). The Project is proposing to establish a new automobile dealership facility with a 0.06 FAR, which is compatible with the other intended uses of the GC Land Use Designation.

The Project site is also located in the *Auto Mall* overlay designation. This special overlay designation provides for additional detailed design standards necessary to facilitate and accommodate auto mall development and prevent conflicts related to land use incompatibility with surrounding residential neighborhoods.

- Policy RV 1.5 requires projects to establish and maintain adequate buffers between auto sale lots and residential uses.

The Project is proposing to provide buffer landscaping along the Project's westerly property line adjacent to the residential lots. The Project is also conditioned to ensure that access to the facility is restricted only through Auto Center Drive and Mill Street. No commercial parking at the residential streets (Griffin Way, Avenue 10, and Mill Street) would be allowed. No pedestrian access to the dealership will also be allowed from Griffin Way and Avenue 10 (COA No. 19).

The applicant has also conducted a lighting analysis to ensure that new sources of light introduced as a result of the Project would not impact the surrounding residences. In addition, the Project is required to comply with the Lake Elsinore Municipal Code (LEMC) Section 17.112.040 Lighting (for Nonresidential Development) to ensure that all outdoor lighting fixtures in excess of 60 watts to be oriented and shielded to prevent direct illumination above the horizontal plane passing through the luminaire and prevent any glare or illumination on adjacent properties or streets (COA No. 12).

Municipal Code Consistency

The current zoning for the subject site is General Commercial (C-2). According to Section 17.124.030.E of the C-2 zone, motor vehicle sales is a permitted use subject to approval of a Conditional Use Permit.

Staff has reviewed the proposed Project with respect to the relevant development standards as identified in the C-2 zone and the LEMC and has detailed the requirements and the proposed development standards as follows:

Development Standard	Required	Proposed
Front yard Setback	Ave. 20 ft./not less than 15 ft.	10 ft.
Rear yard Setback (ROW)	15 ft.	0 ft.
Building Height	45 ft.	33'-6" ft.
Landscape improvements:		
Adjacent to Street	15 ft.	10 ft.
Landscape coverage	15%	29%

Table 2: Development Standards

The Project also complies with the onsite parking standards listed in LEMC, Chapter 17.148 (Parking Requirements). Section 17.148.030.A of the LEMC requires one (1) space for each 250 sq. ft. gross floor area in commercial districts and generally for commercial uses. The Project would require 13 customer parking spaces. The Project will have sufficient parking spaces as there will be 118 total parking spaces for sales, employees, and visitors.

The architectural design of the proposed building complies with the Nonresidential Development Standards (Chapter 17.112) of the LEMC. The architecture of the building has been designed to achieve harmony and compatibility with surrounding area. The colors and materials proposed will assist in blending the architecture into the existing landscape and are compatible with other colors and materials used on other properties near the Project site. The proposed landscaping improvements serve to enhance the building designs and soften portions of building elevations, provide shade and break-up expanses of pavement.

The Variance is requesting to encroach 10'-0" into the required 20'-0" front yard setback and encroach into the required 15'-0" rear yard setback from the public-right-of-way for the proposed 3,266 sq. ft. building. Section 17.172.060 of the LEMC requires the following findings to be made before granting a variance: (1) that adequate safe guards to ensure development in accordance with the General Plan and Zoning Designation are incorporated; (2) that there are special circumstances applicable to the property whereas the granting of a variance would not constitute the granting of a special privilege; and (3) that the variance is the minimum deviation necessary to enable reasonable development of the property.

The subject property was created as a result of three (3) left over fragments of property from a single-family residential housing tract and a realignment of Auto Center Drive and Mill Street. The property is long and very narrow, and is only approximately 65 ft. in depth. The irregular shape of the subject property is the special circumstance applicable to this Project. Due to its irregular shape, the strict application of the code will prevent this lot from enjoying the same rights as other lots in the surrounding area. The granting of the variance will not constitute granting of a special privilege to the subject property but will allow the proposed building to be constructed. The variance is the minimum deviation to enable reasonable development of the property.

The Design Review Committee that includes staff from Planning, Building and Safety, Fire, and Engineering have reviewed the proposed Project, and have conditioned the Project so as to mitigate any potential concerns.

Environmental Determination

The proposed Project is exempt from the California Environmental Quality Act (Cal. Pub. Res. Code §§21000 et seq.: "CEQA") and the CEQA Guidelines (14 C.C.R. §§ 15000 et seq.) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects:

- a) The Project has a General Plan Land Use designation of General Commercial (GC) and has a General Commercial (C-2) zoning designation. The proposed Project, an automobile dealership facility, is a permitted use subject to a Conditional Use Permit. The Project also complies with all applicable development standards of the C-2 zone. Therefore, *the Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*

- b) *The proposed Project occurs within city limits, is located on a Project site of no more than five acres (approximately on a 1.3-acre site), and is substantially surrounded by urban uses.*
- c) *The Project site has no value, as habitat for endangered, rare or threatened species.* The Project has been reviewed for consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Project is located within the MSHCP Elsinore Area Plan, Criteria Cell # 4646. A Lake Elsinore Acquisition Process (LEAP 2017-02) application was submitted on August 11, 2017 and the MSHCP consistency findings were completed and were submitted to the Regional Conservation Authority (RCA) for review. On February 26, 2018, the RCA concluded the Joint Project Review (JPR# 17-10-06-01) process and concluded that the Project is consistent with both the Criteria and other plan requirements of the MSHCP.

The Project site has been disturbed for many decades and does not encompass riparian scrub, woodland and forest habitat, and is not connected to those habitats to the west, east, and south. The property is not within a Criteria Area Species Survey Area (CASSA). It is also not within survey areas for amphibian species or mammal species and surveys for those species are not required. Burrowing owl surveys were conducted by RCA Associates, LLC on June 27, 2017 in accordance with the survey requirements established for the MSHCP. No owl burrows or owls were identified during the field investigations. The Project has been conditioned (COA No. 26) to conduct a pre-construction presence/absence survey for burrowing owl within 30 days of the commencement of project-related grading or other land disturbance activities to ensure that the species has not moved onto the site.

- d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.* A Noise Impact Analysis (NIA) dated June 14, 2017 prepared by Kunzman Associates, Inc. was submitted for the proposed Project. The NIA analyzed the potential for project construction noise and operational noise to cause an exposure of person to or generation of noise levels in excess of established City of Lake Elsinore noise standards related to construction noise, transportation, and stationary related noise impacts caused by the proposed Project. The NIA recommended additional conditions of approval (COA Nos. 14 and 15) to reduce construction and operational noise emanating from the proposed Project. In addition, a Preliminary Water Quality Management Plan (PWQMP 2017-10) that addresses water quality impacts has been submitted and approved for the proposed Project.
- (e) *The site can be adequately served by all required utilities and public services.*

Fiscal Impact

The time and costs related to processing this Project have been covered by the Developer Deposit paid for by the applicant. No General Fund budgets have been allocated or used in the processing of this application. The approval of the Project does not fiscally impact the City's General Fund. Mitigation Measures to protect the City fiscally have already been included in the Conditions of Approval.

Exhibits

- A – MSHCP Resolution
- B – CUP Resolution
- C – CDR Resolution

D – VAR Resolution
E – Conditions of Approval
F – Vicinity Map
G – Aerial Map
H – Design Review Package
I – Variance Justification
J – Community Outreach